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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,334	10/18/2000	Aninda Dasgupta	US 000013	5217

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EXAMINER

TRUONG, LECHI

ART UNIT PAPER NUMBER

2194

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/691,334

Applicant(s)

DASGUPTA, ANINDA

Examiner

LeChi Truong

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/30/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-24 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a), which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 7, 13-14, 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admit prior Art (APA) Smyers et al (US. Patent 5,991,520) and further in view of Lau et al (US. Patent 6,681,043 B1).

As to claim 1, APA teaches the invention substantially as claimed including: a digital audio playback device (DAPD) (digital audio playback devices (DAPD), page 1, ln 9-15), a connected processing system (the PC, page 3, ln 5-23), executing (executed, page 3, ln 20- 24), the interface (playback device, page 3, ln 5-23), a user interface application program (a UI software application, page 2, ln 14-17/ a the program for controlling the connected user interface, page 3, ln 20-23/ page 5, ln 5-21), a memory (memory, page 1, ln 15-18), a reverse DAPA application programming interface(the application programming interfaces, page 4, ln 12-15), storing (download, page 4, ln 1-7), a user interface application program that accesses and controls said digital audio playback device via said interface(page 3, ln 20-24 to page 5, ln 1-5 / ln 13-15).

APA does not teach a processor of DAPD capable of executing said reverse API, said DAPA API capable of causing said processor to access and control a user interface with said user interface program and display on screen. However, Smyers teaches a processor of DAPD capable of executing said reverse API (the video camera 50, the videocassette recorder 52 and the computer 54, in order to implement the applications programming interface of the present invention will include a hardware system such as the system illustrated in Fig. 4. The CPU 62 within each of these devices is used to execute the application program instructions. The API of the present invention will then manage both isochronous and asynchronous data transfer operations between the resident subsystem, col 4, ln 14-35), said DAPA API capable of causing said processor to access and control a user interface with said user interface program, and displayed on a monitor (if the application 2 is a video monitor which receiving data isochronously from a video recorder at a node coupled to the bus structure 28, the API 20 will manage the flow of data from the bus ... the data received from the video recorder. When the first buffer 32 is filled, it is processed data displayed by the video monitor, col 9, and ln 3-13). Couple videocassette recorder 52 (the playback device) to send data the computer 54 for display by using the API (col 4, ln 1-5/ ln 37-41/ col 5, ln 33-42/ col 9, ln 2-13/ ln 20-27).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA and Smyers because Smyers's a processor of DAPD capable of executing said reverse API, to access and control a user interface with said user interface program and displayed on a monitor would improve the efficiency of APA's system by allowing automated generation of transactions necessary to complete a data transfer with permitting a high degree of hardware automation, if needed by the application.

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APA and Smyers do not explicitly teach external for interface. However, Lau teaches external for interface (The Plug-ins 16 and the corresponding API's 18 may be bundled individually on separate storage media, col 5, ln 21-26).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA, Smyers and Lau because Lau's external interface would improve the efficiency of APA and Smyer's systems by allowing the processor to execute the API to access a video sequence and video object segmentation.

As to claim 2, Smyers teaches DAPA API comprises instructions capable of communicating with and controlling an operation of said user interface application program (col 9, ln 3-13).

As to claim 7, it is an apparatus claim of claim 1; it is rejected for the same reason of claim 1 above. In additional, APA teaches an audio files (audio files, page 3, ln 5-20), an external interface of being coupled to a connected digital audio playback device (software libraries made available by the manufacturer of the digital audio playback device and resident on the connected device, page 4, ln 1-3).

As to claim 13, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as the claim 1 above.

As to claims 14, it is an apparatus claim of claim 2; therefore, it is rejected for the same reason as the claim 2 above.

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As to claim 20, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Lau teaches stored removable storage medium readable (col 5, ln 21-26).

As to claims 21-24, they are apparatus claims of claims 2-4, 17; therefore, they are rejected for the same reasons claims 2-4, 17 above.

3. Claims 3-6, 8, 9, 10-12 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admit prior Art (APA) Smyers et al (US. Patent 5,991,520) and further in view of Lau et al (US. Patent 6,681,043 B1) as applied to claim 1 above, and further in view of Messer et al (US. Patent 6,762,798 B1).

As to claim 3, APA teaches data associated with a manufacture of said digital audio playback device (page 4, ln 1-3),

APA, Smyers and Lau do not teach API, which identifies a manufacturer of said digital audio playback device, and wherein said reverse DAPD API is capable of causing an identity of the manufacturer to be displayed. However, Messer teaches API which identifies a manufacturer of said digital audio playback device, and wherein said reverse DAPD API is capable of causing an identity of the manufacturer to be displayed (calling the first method in response to a specification of the set of parameters such that a video window is created with the set of parameters when the video window generated at the destination position and according to the scale factor is within the capabilities of the television and the display, col 11, ln 59-64).

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It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA, Smyers and Lau and Messer because Messer's API which identifies a manufacturer of said digital audio playback device, and wherein said reverse DAPD API is capable of causing an identity of the manufacturer to be displayed would improve the efficiency of APA, Smyers and Lau's systems by enabling a video window to be translated as well as scaled to accommodate a variety of televisions.

As to claim 4, Smyers teaches API is capable causing said processor to access and control at least a portion of user interface to display said data in said at least a portion of said user interface displayed on said monitor screen (col 4, ln 1-5/ ln 37-41/ col 5, ln 33-42/ col 7, ln 45-50/ col 9, ln 2-13/ ln 20-27), and Messer teaches API comprises first data associated with a manufacturer of said digital audio playback device (col 2, ln 20-30).

As to claim 5, APA teaches a logo image (logo, page 5, ln 15-21).

As to claim 6, APA teaches a Universal Resource Locator (URL)(a web site, page 5, ln 15-21).

As to claims 8, 11-12, they are apparatus claims of claims 4-6; therefore, they are rejected for the same reasons as the claims 4-6 above.

As to claims 9-10, 15- 16, they are apparatus claims of claims 3-4; therefore, they are rejected for the same reasons as the claims 3-4 above.

As to claim 17, Smyers teaches first displaying the data in the at least a portion of the user interface (col 7, ln 45-50)

As to claims 18-19, they are apparatus claims of claims 5-6; therefore, they are rejected for the same reasons as the claims 5-6 above.

Response to the argument:

4. Applicant amendment filed on 9/03/04 has been considered but they are not persuasive:

Applicant argued in substance that :

(1) " Smyers does not, however, disclose or suggest a reverse DAPD API which allows an audio playback device to access and control a user interface application program ".

(2) " there is no suggestion or motivation to combine the cited references".

5. Examiner respectfully disagrees with Applicant's remarks:

As to the point (1), Smyers teaches the video camera 50, the videocassette recorder 52 and the computer 54, in order to implement the applications programming interface of the present invention will include a hardware system such as the system illustrated in Fig.4. The CPU 62 within each of these devices is used to execute the application program instructions. The API of the present invention will then manage both isochronous and asynchronous data transfer operations between the resident subsystem (col 4, ln 14-35), if the application 2 is a video monitor which^{is} receiving data isochronously from a video recorder at a node coupled to the bus structure 28, the API 20 will manage the flow of data from the bus ... the data received from the video recorder. When the first buffer 32 is filled, it is processed data displayed by the video monitor, col 9, and ln 3-13). During the transfer of video data from and application such as a video recorder, the data is transferred in blocks representing the data necessary to display one horizontal line on a monitor of television (col 7, ln 44-49). Couple videocassette recorder 52 (the playback device) to send data the computer 54 for display by using the API (col 4, ln 1-5/ ln 37-41/ col 5, ln 33-42/ col 9, ln 2-13/ ln 20-27).

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Smyers teaches the video cassette recorder implements the API to transfer the data of the video cassette recorder for displaying. Since , the data from the recorder is displayed on the video monitor, the user interface of video monitor is accessed and controlled by the video cassette by using the API to transfer the data of video cassette for display. The data of video cassette can not be displayed on the video monitor without accessing the user interface of the video monitor.

As to the point 2, APA, Smyers and Lay's references teach a video processing environment for display the video's data.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

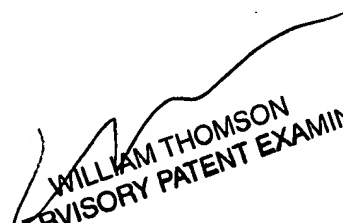
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Thomson, William can be reached on (571) 272 3718. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

September 14, 2006


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER